HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI S.R. NAYAK, C.J.
AND HON'BLE SHRI D.R. DESHMUKH, J.

WRIT PETITION NO.278 OF 2006

PETITIONER Aruna Devi
W/o. Sachidanand
Aged about 18 years, R/o. Deahri, Thana-Pipriya, Tah. – Kawardha, Distt. – Kabirdham. (CG)

Vs.

RESPONDENTS

1. State of Chhattisgarh through Secretary, Department of Home, D.K.S. Bhawan, Raipur (CG)
2. Station House Officer, Police Station-Pipriya, Tah.- Kawardha, Distt. – Kabirdham (CG)
3. Superintendent of Police Kawardha, Distt.- Kabirdham.

Present : Shri Vinay Harit, learned Dy. Advocate General with Shri Utkarsh Verma, learned Dy. G.A. for the State of Chhattisgarh.

ORAL ORDER

(Passed on 24th July, 2006)

The following order of the Court was passed by **S.R. Nayak, C.J.**

The letter written by Aruna Devi, wife of Sachidanand dated 01.07.2005 to the Chief Justice of this Court has been treated as a taken-up writ petition and notice was ordered to the respondents. A return dated 28.02.2006 has been filed by the respondents. In the return, it is stated that the challan against the accused was filed on 17.08.2005. A copy of the challan is produced as Annexure-R/2. On filing the challan, Criminal Case No.761 of 2005 was registered in the Court of the Chief Judicial Magistrate, Kawardha and the sessions trial is now pending. The

other allegation made by the petitioner in her letter is that the accused after he was released on anticipatory bail has been threatening her to compromise. In the course of the hearing, learned Dy. Advocate General undertook to extend necessary protection to the petitioner against the coercion or threat that may be exercised by the accused. Furthermore, if the accused, in violation of the conditions of anticipatory bail, has done any overt act, it could be a ground for cancellation of the anticipatory bail and it is open for the petitioner and/or the Public Prosecutor to bring it to the notice of the Court which had granted anticipatory bail and seek cancellation of the same.

(2) The writ petition is disposed of subject to the above observations.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Brajesh

Sd/-
Hon'ble the Chief Justic